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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/601,809

06/24/2003

Ramin Samadani

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07/13/2009

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EXAMINER

JAMAL, ALEXANDER

ART UNIT

PAPER NUMBER

2614

NOTIFICATION DATE

DELIVERY MODE

07/13/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/601,809	Applicant(s) SAMADANI, RAMIN	
	Examiner ALEXANDER JAMAL	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Based upon the submitted amendment filed via RCE, the examiner notes that claims 1-3 and 5-36 have been amended.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-36** are rejected under 35 U.S.C. 102(b) as being anticipated by Chiu et al [US 5,986,655].

As per claims 1,21, Chiu discloses a system for capturing media during a meeting (recording session). A meeting between multiple users is recorded and portions of the recorded meeting (indicated by events) are used to place time stamps so that the information can be more efficiently retrieved later on. One of the specific events that can create a marked event is a change of speaker (Col 4 lines 40-55). The events can be detected via detecting audio characteristics (such as speaker identification) on audio streams (Col 2 lines 25-40). The audio streams are stored digitally (inherently correlated to temporal data), and portions of the audio streams are time stamped (correlated to additional temporal data). The system will record and timestamp all sources from a meeting (audio and video). The system records data using **one or more capture devices such as an audio recorder** (Col 2 lines 25-40). These would be the first and second audio portions which are analyzed and time-stamped according to detected characteristics (first and second characteristic).

As per **claim 2**, the audio streams are analyzed by a processor (processing station). Multiple signals are outputted as portions of data which are time-stamped so to be retrieved later.

As per **claims 3,13,17**, the system is programmable and may be edited by any user (including any of the conference participants).

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As per **claim 4**, the streams include audio and the disclosed speaker identification function requires detecting the audio signals (which inherently requires detecting the energy (signal) levels of the speech in order for the speech to be processed).

As per **claim 5**, the system is digital as such the streams must be digitized (which inherently includes filtering) in order to be processed.

As per **claims 6,34**, visual icons are associated with the timestamps.

As per **claims 7,8,11,20,25,26,28,29,30,33**, they are rejected as per the claim 1 rejection.

As per **claims 9,12,14,15,18,19,27,31,35**, the signals are digital and as such, require reference data (memory addresses) associated with reference signals (synchronizing clocks) in order to be digitized and processed. Additionally, the detected characteristics used to define events could also be read as reference data that is detected, stored, and analyzed (queried).

As per **claims 10,32**, the audio streams are analyzed by the same system, as such they will be synchronized by the digital system (any digital systems must be synchronized to function). Any number of audio streams may be used (each audio stream will be recorded at a different location as two microphones cannot occupy the same space.)

As per **claim 16,36**, it is rejected as per the claim 15 rejection, additionally, the time-stamped portions of the recorded audio/video signals are output as audio/video signals when requested by the user.

Regarding claim 22, Chiu et al further disclose the system, wherein the means for producing audio data with each separate input device include: a means for recording audio to a storage device (112) within a processing station (12); and a means for editing (102) an identified portion of the recorded audio within the storage device of the processing station to produce audio data [Figs. 1-2; col. 4, line 56 to col. 6, line 19].

Regarding claim 23, Chiu et al further disclose the system, wherein the media includes at least one of audio, video and text data, [col. 4, line 43 to col. 5, line 62; col. 1, lines 42-55; col. 2, lines 17-37]; and wherein the first audio characteristic (or detection) is inherently at least a predetermined energy level (or power or peak) of audio signal.

Regarding claim 24, Chiu et al further disclose the system, wherein the media includes audio, video and/or text data, and wherein the first audio characteristic is at least a predetermined energy level of audio [Figs. 7A-7D; col. 10, line 10 to col. 11, line 8]. Further, there are visual icons associated with the timestamps.

Response to Arguments

3. Applicant's arguments have been considered but are moot in view of the new grounds of rejection.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Jamal whose telephone number is 571-272-7498, and whose email address is alexander.jamal@uspto.gov

The examiner can usually be reached on M-F 8AM-5PM.

If attempts to reach the examiner by telephone or email are unsuccessful, the examiner's supervisor, Curtis A Kuntz can be reached on 571-272-7499.

The fax phone numbers for the organization where this application or proceeding is assigned are **571-273-8300** for regular communications and **571-273-8300** for After Final communications.

/Alexander Jamal/

Primary Examiner, Art Unit 2614

Examiner Alexander Jamal

July 9, 2009